

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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JASON LEE,

Plaintiff,

CIVIL ACTION NO.:

v.

ENTERPRISE HOLDINGS, INC. and PHILLIP
CATALDI, Trustee of the PHILIP CATALDI
Trust,

NOTICE OF REMOVAL

Defendants.

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TO: JEFFREY KIM, ESQ.
Attorneys for Plaintiff
169-95 137th Avenue
Jamaica, New York 11434

PLEASE TAKE NOTICE that on this date defendants ENTERPRISE HOLDINGS, INC. and PHILLIP CATALDI, Trustee of the PHILIP CATALDI Trust, by their undersigned counsel, have filed this Notice of Removal pursuant to 28 USC §1446(a) in the office of the Clerk of the United States District Court for the Eastern District of New York and show:

1. Plaintiff JASON LEE brought an action against the defendants in the Supreme Court of the State of New York, County of Queens by filing a Verified Complaint on or about April 4, 2014. A true copy of the Verified Complaint is annexed hereto as Ex. A.
2. The Summons and Verified Complaint were received by defendant ENTERPRISE HOLDINGS, INC. on or about June 6, 2014. A true copy of the Summons is annexed hereto as Ex. B.
3. The Summons and Verified Complaint were not received by defendant PHILLIP CATALDI, Trustee of the PHILIP CATALDI Trust to date.
4. There have been no other proceedings in this action.
5. Plaintiff purports to be a citizen and resident of the State of New York, residing in the County of Queens. *Please see* Ex. B.
6. Defendant ENTERPRISE HOLDINGS, INC. is a Missouri corporation, with its principal offices in St. Louis, Missouri.
7. Defendant PHILLIP CATALDI is a citizen and resident of the State of Florida, residing in Lehigh Acres.
8. In paragraph 34 of the Verified Complaint, plaintiff JASON LEE alleged that as result

of the subject accident, he was rendered sick, sore, lame and disabled, sustained severe, serious and permanent personal injuries and was, and still is, internally and externally injured, the injuries being permanent in nature and for a long period of time the plaintiff was prevented from attending his daily activities and has endured, and will continue to endure, great pain, suffering and mental anguish, all to his damage. *Please see* Ex. A.

9. On June 13, 2014, the defendants served upon the plaintiff a Demand for Ad Damnum, however, no response has been received (Ex. C).

10. Based on the aforementioned allegations of personal injury and alleged damages set forth in the plaintiff's Verified Complaint, the matter in controversy is alleged to be in excess of \$75,000, together with costs and disbursements.

11. Jurisdiction over this matter is conferred on this Court by 28 USC §1441(a).

12. Jurisdiction on this Court is proper pursuant to 28 USC §1332 and 28 USC §1441 in that the parties are of complete diversity, the amount in controversy exceeds \$75,000, exclusive of interest and costs, and no defendant is a citizen of the State of New York.

13. This Notice was filed with this Court within 30 days of defendants' receipt "through service or otherwise, of a copy of the initial pleading setting forth the claim for relief upon which such action or proceeding is based," as provided by 28 USC §1446(b).

PLEASE TAKE FURTHER NOTICE, that defendants, upon filing the Notice of Removal in the Office of the Clerk of the United States District Court for the Eastern District of New York, have also filed a copy of the Notice with the Clerk of the Supreme Court of the State of New York, County of Queens, at the courthouse located at 88-11 Sutphin Blvd., Jamaica, New York 11435, to effect removal of this action to the United States District Court pursuant to 28 USC §1446(d).

Dated: New York, New York
June 24, 2014

LAW OFFICES OF LORNE M. REITER, LLC
Attorneys for Defendants
ENTERPRISE HOLDINGS, INC. and PHILLIP CATALDI,
Trustee of the PHILIP CATALDI Trust.
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By:


LORNE M. REITER, ESQ.